

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

TYRONE WILSON

PLAINTIFF

vs.

CIVIL ACTION No.: 3:19-CV-441-HTW-LRA

UNKNOWN WHITE, Officer, Kitchen Supervisor, in Individual and Official Capacities; UNKNOWN GAMBLE, Officer, Kitchen Supervisor, in Individual and Official Capacities; BERT UNKNOWN, Officer, Kitchen Supervisor, in Individual and Official Capacities; and TRINITY SERVICES GROUP, INC., in Individual and Official Capacities.

DEFENDANTS

ORDER ADOPTING THE REPORT AND RECOMMENDATION

BEFORE THIS COURT is the Report and Recommendation of United States Magistrate Judge Linda R. Anderson. [**Docket no. 27**]. In her Report and Recommendation, filed on August 2, 2020, Magistrate Judge Anderson recommended that the Motion to Dismiss [**Docket no. 18**] be GRANTED because plaintiff's complaint may state a cognizable Mississippi State Law Tort claim but does not rise to a constitutional violation that would afford relief under Title 42 U.S.C. § 1983. Magistrate Judge Anderson directed the *pro se* plaintiff to file any objections within fourteen (14) days. The plaintiff has not filed an objection as of the entry of this order.

Based upon the findings and recommendation contained in the Report and Recommendation [**Docket no. 27**], this court finds it well-taken. Therefore, the Report and Recommendation of the Magistrate Judge is hereby **ADOPTED** as the order of this court.

Accordingly, this order hereby **DISMISSES** this lawsuit **WITH PREJUDICE** and orders that the parties are to bear their own costs.

SO ORDERED AND ADJUDGED this the 31st day of August, 2020.

s/ HENRY T. WINGATE
UNITED STATES DISTRICT COURT JUDGE